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July 5, 2011

VIA CM/ECF

The Honorable Peter J. Messitte
United States District Court for the District of Maryland
Greenbelt Division
6500 Cherrywood Lane
Greenbelt, Maryland 20770

Re: *Beyond Systems, Inc. v. World Avenue USA, LLC, et al.*
Case No. PJM 08 cv 0921

Dear Judge Messitte:

Pursuant to the Court's Orders dated June 3, 2011 [Docket Entry 701] and June 10, 2011 [Docket Entry 708], we write for permission to file a motion for a short extension of time of up to seven (7) days within which to file an Affidavit of Attorneys' Fees and Expenses in compliance with the Order entered by the Honorable Charles B. Day at Docket Entry 711.

The Order at Docket Entry 711 awarded sanctions entered against Plaintiff Beyond Systems, Inc. ("BSI") for its conduct in connection with the issuance of certain subpoenas in this case. As the Court may recall, at a November 29, 2010 hearing in this case, the Court denied Defendants' Motion to Dismiss for Fraud on the Court at DE 323 ("Motion to Dismiss"), but held that Defendant was free to seek sanctions for the conduct described in its Motion to Dismiss. In the Order at DE 711, Judge Day has now granted the sanctions that the Court referenced on November 30th, and gave Defendant fifteen (15) days to submit an affidavit of the attorneys' fees and costs that were incurred.

We regret having to make this request as the parties should be able to resolve extensions of time amongst themselves without needlessly involving this Court. However, extension is necessary and Plaintiff's cooperation has not been forthcoming. Specifically, the preparation for the August trial and the intervening July 4th holiday have triggered the need for the extension. As this Affidavit of Attorneys' Fees and Expenses is not necessary for the August 2011 trial, no party will be prejudiced by a short extension. No pretrial deadlines will be impacted.

As required by Local Rule 104, we conferred today by e-mail and by telephone with counsel for BSI, and have been advised that BSI opposes the requested extension. As such, we respectfully request permission to file a short Motion requesting the extension of time.

Respectfully Submitted,

/s Sanford M. Saunders, Jr.

Sanford M. Saunders, Jr.

Enclosure

cc: Nicoleta Timofti, Esq.
Kenneth A. Horky, Esq.
John L. McManus, Esq.